

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

BRIAN J. SONS

PLAINTIFF

v.

CIVIL ACTION NO. 1:17-CV-29-RP

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

FINAL JUDGMENT

Plaintiff Brian J. Sons filed suit under 42 U.S.C. § 405(g) for judicial review of the unfavorable decision of the Commissioner of Social Security regarding an application for a period of disability, disability insurance benefits, and supplemental security income. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provision of 28 U.S.C. § 636(c), with any appeal to the Court of Appeals for the Fifth Circuit. Docket 10. The Court, having reviewed the record, the administrative transcript, the briefs of the parties, and the applicable law, finds as follows:

The Commissioner's decision is reversed for failure of the ALJ, in giving little weight to the opinion of Plaintiff's treating physician Robert O. Hardy, M.D., to conduct a proper analysis under *Newton v. Apfel*, 209 F.3d 448 (5th Cir. 2000) and 20 C.F.R. § 404.1527(d). This case is remanded with instructions to the ALJ to reevaluate Plaintiff's residual functional capacity and then make step four and step five determinations accordingly.

SO ORDERED AND ADJUDGED, this the 11th day of October, 2017.

/s/ Roy Percy
UNITED STATES MAGISTRATE JUDGE